

Message Text

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70

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FM AMEMBASSY GUATEMALA

TO SECSTATE WASHDC 8564

INFO AMCONSUL BELIZE

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LIMITED OFFICIAL USE GUATEMALA 5700

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SUBJ: BELIZE DISPUTE: ARBITRATION

1. POST UNDERSTANDS THAT DEPT HAS ASKED UK TO CONSIDER CAREFULLY POSSIBILITY OF SUBMITTING BELIZE DISPUTE TO INTERNATIONAL COURT OF JUSTICE.
2. PRELIMINARY UK RESPONSE HAS BEEN RESERVED, AMONG OTHER REASONS BECAUSE OF UK OBJECTION TO PRESENT COMPOSITION OF ICJ, AND THE QUOTE SHAMBLES UNQUOTE COURT MADE OF WESTERN SAHARA CASE.
3. IF CONCEPT OF ARBITRATION EVENTUALLY BECOMES MORE ACCEPTABLE TO UK, DEPT MIGHT WISH TO CONSIDER SUGGESTING THAT MATTER BE SUBMITTED TO PERMANENT COURT OF ARBITRATION RATHER THAN ICJ.
4. PERMANENT COURT OF ARBITRATION WAS CREATED IN 1907 (CODIFIED 36 STAT. 2199; 1 BEVANS 577). COURT IS NOT A PERMANENT SITTING BODY, BUT RATHER A LIST OF LEGAL EXPERTS WHO CAN POTENTIALLY SIT.

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PARTIES TO HAGUE CONVENTION EACH NAME FOUR PERSONS

TO A PANEL, AND PARTIES TO A DISPUTE WISHING TO
HAVE RECOURSE TO THE COURT NAME ARBITRATORS FROM
THE PANEL. ARBITRATORS THEY NAME MAY BE ALL OF
ONE NATIONALITY OR OF VARIOUS NATIONALITIES.

5. BOTH GUATEMALA AND UK ARE PARTIES TO 1907
CONVENTION (US TREATIES IN FORCE 1975 PAGE 385).
US HAS RECENTLY NAMED ITS FOUR MEMBERS TO COURT
PANEL-WILLIAM W. BISHOP, MONROE LEIGH, HERBERT
BROWNELL, AND JOHN R. STEVENSON.
MELOY

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